

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

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In re: :

Debtor(s) : BK No.  
Chapter

:  
----- \*

**CERTIFICATION BY PRO SE DEBTOR**

On \_\_\_\_\_, a voluntary bankruptcy petition was filed by the undersigned, appearing pro se and without legal counsel. Certification is hereby made that:

**CHECK EITHER ITEM 1 OR 2 ONLY. IF ITEM 2 IS SELECTED, PROVIDE NAME AND ADDRESS OF ASSISTANCE PROVIDER:**

(1) \_\_\_\_\_ No persons and/or entities, other than myself/us, assisted in the preparation, typing, and/or completion of said petition and/or related schedules;

(2) \_\_\_\_\_ the following persons and/or entities constitute the only persons/entities who assisted in the preparation, typing, and/or completion of said petition and all related schedules, and represent the only sums paid by me/us for these services:

NAME AND ADDRESS OF ASSISTANCE PROVIDER

TOTAL AMOUNT PAID

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I hereby certify under penalty of perjury that the above information is true and accurate to the best of my knowledge. I am aware that the providing of false or incomplete information may result in the denial of discharge in bankruptcy and/or other sanctions.**

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE

Phone number ( ) \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

----- X  
In re: : BK No.  
: Chapter  
:  
:  
----- X

**EXPENSE INFORMATION FOR FEE WAIVER APPLICATION**

**This section must be completed if you have not filed Schedule J .**

**CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this document by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

1. Rent or home mortgage payment (include lot rented for mobile home) \$ \_\_\_\_\_
  - a. Are real estate taxes included? Yes\_\_ No\_\_
  - b. Is property insurance included? Yes\_\_ No\_\_
2. Utilities:
  - a. Electricity and heating fuel \$ \_\_\_\_\_
  - b. Water and sewer \$ \_\_\_\_\_
  - c. Telephone \$ \_\_\_\_\_
  - d. Other \$ \_\_\_\_\_
3. Home maintenance (repair and upkeep) \$ \_\_\_\_\_
4. Food \$ \_\_\_\_\_
5. Clothing \$ \_\_\_\_\_
6. Laundry and dry cleaning \$ \_\_\_\_\_
7. Medical and dental expenses \$ \_\_\_\_\_
8. Transportation (not including car payments) \$ \_\_\_\_\_
9. Recreation, clubs and entertainment. newspaper, magazines. etc. \$ \_\_\_\_\_
10. Charitable contributions \$ \_\_\_\_\_
11. Insurance (not deducted from wages or included in home mortgage payments)
  - a. Homeowner's or renter's \$ \_\_\_\_\_
  - b. Life \$ \_\_\_\_\_
  - c. Health \$ \_\_\_\_\_
  - d. Auto \$ \_\_\_\_\_
  - e. Other \_\_\_\_\_
12. Taxes (not deducted from wages or included in home mortgage payments)  
(Specify) \_\_\_\_\_ \$ \_\_\_\_\_

13. Installment payments:
- a. Auto \$ \_\_\_\_\_
  - b. Other \$ \_\_\_\_\_
  - c. Other \$ \_\_\_\_\_
14. Alimony, maintenance, and support paid to others \$ \_\_\_\_\_
15. Payments for support of additional dependents not living at your home \$ \_\_\_\_\_
16. Regular expenses from operation of business, profession, or farm \$ \_\_\_\_\_  
(attach detailed statement)
17. Other \_\_\_\_\_ \$ \_\_\_\_\_
18. TOTAL MONTHLY EXPENSES \$ \_\_\_\_\_
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document: \_\_\_\_\_
- 

**DECLARATION CONCERNING DEBTOR'S EXPENSE ADDENDUM**  
DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I (we) declare under penalty of perjury that I (we) cannot currently afford to pay the filing fee in full or in installments and that the foregoing information is true and correct. I (we) further declare under penalty of perjury that I have read the foregoing expense information and that it is true and correct to the best of my knowledge, information, and belief.

Date \_\_\_\_\_

Signature \_\_\_\_\_  
Debtor

Date \_\_\_\_\_

Signature \_\_\_\_\_  
(Joint Debtor, if any)

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**DECLARATION AND SIGNATURE OF BANKRUPTCY PETITION PREPARER (See  
11 U.S.C. § 110)**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and (2) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required under that section.

\_\_\_\_\_  
Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
Last four digits of Social Security No.  
Required by 11 U.S.C. § 110.

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X \_\_\_\_\_  
Signature of Bankruptcy Petition Preparer

*If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person. A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.*

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

----- X

In re:

:

BK No.

:

Chapter

(Debtors)

----- X

**REQUEST FOR DEBTOR TO FILE POST PETITION TAX INFORMATION  
DURING PENDENCY OF CASE**

\_\_\_\_\_, a party in interest in the above individual chapter 7, 11 or 13 case,  
qualifies as such for the following reasons: \_\_\_\_\_

\_\_\_\_\_.

Accordingly, pursuant to 11 U.S.C. § 521(f)(1-4), \_\_\_\_\_ hereby requests  
that the Debtor file the following post petition tax information with the Court: \_\_\_\_\_

\_\_\_\_\_.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Signature)

Name of Movant/Attorney for Movant

Address

Phone Number

For: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that on \_\_\_\_\_ I mailed, by United States Postal Service, postage  
prepaid, the Request for Debtor to file Post Petition Tax Information filed with the Court on the  
following non CM/ECF participants: \_\_\_\_\_.

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

----- X

In re:

:

BK No.

:

Chapter

(Debtors)

----- X

**MOTION BY PARTY IN INTEREST FOR ACCESS  
TO DEBTOR'S TAX INFORMATION**

\_\_\_\_\_ is a party in interest in the above entitled case, and qualifies as such for the following reasons: \_\_\_\_\_. The tax information designated below cannot be obtained from any other source, and is necessary for the following reasons:\_\_\_\_\_

\_\_\_\_\_.

Accordingly, pursuant to 11 U.S.C. § 521(g)(2), \_\_\_\_\_ hereby requests access to Debtor's tax information on file with the Clerk, for the year(s):\_\_\_\_\_.

Access is requested in the following manner:

Regular Mail at the following address: \_\_\_\_\_.

In Person (Tel.)\_\_\_\_\_.

I hereby declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
Signature

Movant's/Attorney's Name

Address

Phone Number

For: \_\_\_\_\_

Dated: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that on \_\_\_\_\_ I mailed, by United States Postal Service, postage prepaid, the Motion for Access to Debtor's Tax Information filed with the Court on the following non CM/ECF participants: \_\_\_\_\_.

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

-----\*

In re:	:	
	:	BK No.
	:	Chapter
Debtor(s)	:	
-----	:	*

**ATTORNEY CERTIFICATION IN SUPPORT OF  
MOTION FOR ADMISSION *PRO HAC VICE***

1. I, \_\_\_\_\_, certify that I am a member in good standing of the bar of the state(s) of \_\_\_\_\_ and of the following federal district court bar(s) \_\_\_\_\_, without any restriction on my eligibility to practice, and that I understand my obligation to notify this Court immediately of any change respecting my status in this respect.

2. I have never been disciplined or sanctions by any court or other body having disciplinary authority over attorneys; there are no disciplinary proceedings pending against me at this time; and I have never had my pro hac vice status revoked by any court. (If applicant has been sanctioned, disciplined or had any pro hac vice status revoked, please provide a full explanation.)

3. I have never been convicted of any crime other than minor traffic offenses. (If applicant has been convicted, please provide full explanation.)

4. I am currently admitted, and/or within the preceding 12 months have applied to be admitted, in the following bankruptcy and/or adversary proceeding cases in this district:

\_\_\_\_\_  
\_\_\_\_\_.

5. I have read, acknowledge, and agree to observe and to be bound by the local rules and orders of this Court, including the Rules of Professional Conduct of the Rhode Island Supreme Court, as adopted by this Court as the standard of conduct for all attorneys appearing before it.

6. For purposes of this case:

☐ I have associated with local associate counsel identified below, and have read, acknowledge, and will observe the requirements of this Court respecting the participation of local associate counsel, as set out in LBR 9010-1 and Local Rule 204 of the U.S. District Court, recognizing that failure to do so may result in my being disqualified, either upon the Court's motion or motion of other parties in the case.

**- OR -**

☐ Pursuant to LBR 9010-1(c), local counsel is not required at this time as the matter is not contested. Counsel further understands and agrees that if the matter becomes contested, then local counsel will enter an appearance at least five days before the scheduled hearing or the granting of within motion for permission to appear *pro hac vice* may be revoked.

Date:

By: \_\_\_\_\_

Attorney applying for *Pro Hac Vice* admission

\_\_\_\_\_  
Firm name and address

\_\_\_\_\_

\_\_\_\_\_  
Tel #

\_\_\_\_\_  
Fax #



**LOCAL COUNSEL CERTIFICATION**

I certify that I have read and join in the foregoing motion, and acknowledge and agree to observe the requirements of LBR 9010-1 and Local Rule 204 of the U.S. District Court in their entirety and as they relate to the participation and responsibilities of local associate counsel.

\_\_\_\_\_

\_\_\_\_\_

Name and Signature of Local Associate Counsel R.I. Bar ID#  
Firm Name Tel # Fax #  
Business Address

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND**

----- x

**In re:**

:

**BK No.**

:

**Chapter 13**

**Debtor(s)**

----- x

**CHAPTER 13 AGREEMENT BETWEEN DEBTOR AND COUNSEL**

**RIGHTS AND RESPONSIBILITIES OF CHAPTER 13 DEBTORS AND THEIR ATTORNEYS**

It is important for debtors who file bankruptcy cases under Chapter 13 to understand their rights and responsibilities. It is also useful for debtors to know what their attorney's responsibilities are, and understand the importance of communicating with their attorney to make the case successful. Debtors should also know that they may expect certain services to be performed by their attorney. To encourage that debtors and their attorneys understand their rights and responsibilities in the bankruptcy process, the following terms are agreed to by the debtors and their attorneys:

**BEFORE THE CASE IS FILED:**

**The DEBTOR agrees to:**

1. Provide the attorney with accurate financial information.
2. Discuss with the attorney the debtors' objectives in filing the case.

**The ATTORNEY agrees to:**

1. Meet with the debtor to review the debtor's debts, assets, income and expenses.
2. Counsel the debtor regarding the advisability of filing either a Chapter 7 or Chapter 13 case, discuss both procedures with the debtor, and answer the debtor's questions.
3. Explain what payments will be made through the plan, and what payments will be made directly by the debtor for mortgage and vehicle loan payments, as well as which claims accrue interest.
4. Explain to the debtor how, when, and where to make the Chapter 13 plan payments, as well as the debtor's obligation to continue making mortgage payments, without interruption, and the likely consequences for failure to do so.
5. Explain to the debtor how the attorney's fees and trustee's fees are paid, and provide an executed copy of this document to the debtor.
6. Explain to the debtor that the first plan payment must be made to the Trustee within 30 days of the date the plan is filed.
7. Explain to the debtor that if he/she owe domestic support obligations, they must be current on these obligations to obtain plan confirmation and they must remain current to obtain a discharge.

**In re:** \_\_\_\_\_

**BK No.** \_\_\_\_\_

8. Advise the Debtor of the requirement to provide the Chapter 13 Trustee with copies of their federal tax return (or a transcript) for the most recent tax year at least 7 days before the Section 341 Meeting of Creditors.
9. Advise the debtor of the requirement to attend the 341 Meeting of Creditors, and instruct debtor as to the date, time and place of the meeting.
10. Advise the debtor of the necessity of maintaining liability, collision and comprehensive insurance on vehicles securing loans or leases.
11. Advise the Debtor that in order to obtain a discharge, he or she must complete a financial management course approved by the United States Trustee and file a certificate (Official Form 23) with the Court evidencing compliance with this requirement.
12. Timely prepare and file the debtor's petition, plan, and schedules.

**AFTER THE CASE IS FILED:**

**The debtor agrees to:**

1. Keep the trustee and attorney informed of the debtor's address and telephone number.
2. Inform the attorney of any wage garnishments or attachments of assets which occur or continue after the filing of the case.
3. Contact the attorney if the debtor loses his/her job or has other financial problems. The attorney may be able to have the Chapter 13 plan payments reduced. or suspended in those circumstances.
4. Advise counsel if the debtor is sued during the case.
5. Inform the attorney if tax refunds to which the debtor is entitled are seized or not received.
6. Advise counsel and the trustee before buying or selling real property or before entering into any long-term loan agreements, to determine what approvals are required.

**The attorney agrees to provide the following legal services in consideration of the initial fee charged in this case:**

1. Appear at the 341 Meeting of Creditors with the debtor.
2. Respond to objections to plan confirmation, and where necessary, prepare an amended plan.
3. Prepare, file and serve one necessary modification to the plan which may include suspending, lowering, or increasing plan payments.
4. Prepare, file and serve necessary amended schedules in accordance with information provided by the debtor.
5. Prepare, file, and serve necessary motions to buy, sell, or refinance real property.
6. Object to improper or invalid claims, if necessary, based upon documentation provided by the debtor.
7. Represent the debtor in motions for relief from stay.
8. Where appropriate, prepare, file, and serve necessary motions to avoid liens on real or personal property.

In re: \_\_\_\_\_

BK No. \_\_\_\_\_

9. Provide such other legal services as are necessary for the administration of the case including, but not limited to assisting the debtor to comply with the requirement that the debtor complete a financial management course prior to discharged and files Official Form 23 with the Court evidencing such compliance.

Initial fees charged in this case are \$\_\_\_\_\_. If the initial fees are not sufficient to compensate the attorney for the legal services rendered in the case, the attorney further agrees to apply to the court for any additional fees. If the debtor disputes the legal services provided or the fees charged by the attorney, an objection may be filed with the court and the matter set for hearing.

Debtor signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Co-debtor signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Attorney for debtor(s) signature: \_\_\_\_\_ Dated: \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

**CHAPTER 13 PLAN and COVER SHEET**

Filing Date: \_\_\_\_\_

BK No. \_\_\_\_\_

Debtor: \_\_\_\_\_

Co-Debtor: \_\_\_\_\_

SS#: \_\_\_\_\_

SS#: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Debtor's Counsel: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone #: \_\_\_\_\_

Facsimile #: \_\_\_\_\_

**Attached to this cover sheet is the Chapter 13 Plan filed by the Debtor(s) in this case. This Plan sets out the proposed treatment of the claims of creditors. The claims are set forth in the bankruptcy schedules filed by the Debtor(s) with the Bankruptcy Court.**

**Notwithstanding the scheduling of your claim by the Debtor(s), in order to participate in the distribution under the plan, you MUST file a proof of claim by the claims bar date contained in the § 341 notice. See below.**

**You will receive a separate notice from the Bankruptcy Court of the scheduled creditors' meeting pursuant to 11 U.S.C. § 341. That notice will also establish the bar date for filing Proofs of Claims, as well as the date scheduled for the hearing on confirmation of the Debtor(s) chapter 13 plan. Pursuant to Local Bankruptcy Rule 3015-3, any objections to confirmation of a chapter 13 plan shall be filed no later than seven (7) days before the hearing date on confirmation.**

## **CHAPTER 13 PLAN**

BK No. \_\_\_\_\_

Debtor(s) (H): \_\_\_\_\_ SS#: \_\_\_\_\_

(W): \_\_\_\_\_ SS#: \_\_\_\_\_

Term of the Plan: \_\_\_\_\_ Months

Plan Payment: Debtor(s) to pay monthly: \$ \_\_\_\_\_

### **I. SECURED CLAIMS**

#### **A. CLAIMS TO BE PAID THROUGH THE PLAN (INCLUDING ARREARS):**

Creditor Description of claim (pre-Amount of claim petition arrears, purchase money, etc.)

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_

Total of secured claims to be paid through the Plan \$ \_\_\_\_\_

#### **B. CLAIMS TO BE PAID DIRECTLY TO CREDITORS (Not through Plan):**

Creditor Description of claim

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

In re: \_\_\_\_\_

BK No. \_\_\_\_\_

**II. PRIORITY CLAIMS**

Creditor Description of Claim

Amount of claim

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

**DOMESTIC SUPPORT OBLIGATIONS**

Check here if NONE ☐

Description of Obligation

Amount

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

Total of priority claims to be paid through the plan \$ \_\_\_\_\_

**III. ADMINISTRATIVE CLAIMS**

A. Attorneys fees (to be paid through the Plan): \$ \_\_\_\_\_  
(to be paid in first 12 months of Plan)

B. Miscellaneous fees:

Creditor Description of claim

Amount of claim

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

\_\_\_\_\_

\$ \_\_\_\_\_

In re: \_\_\_\_\_

BK No. \_\_\_\_\_

C. The Chapter 13 Trustee's fee is determined by order of the United States Attorney General. The calculation of the Plan payment set forth below utilizes a 10% trustee's commission.

In the event that the trustee's commission is less than 10%, the additional funds collected by the Trustee shall be disbursed to unsecured creditors up to 100% of the allowed claims.

#### IV. UNSECURED CLAIMS

The general unsecured creditors shall receive a dividend of \_\_\_\_% of their claims.

A. General unsecured claims: \$\_\_\_\_\_

B. Undersecured claims arising after lien avoidance/cramdown:  
Creditor Description of claim Amount of claim

_____	\$ _____
_____	\$ _____
_____	\$ _____

Total of A + B general unsecured claims: \$\_\_\_\_\_

C. Multiply total by percentage of dividend: \$\_\_\_\_\_

(Example: total of \$38,500.00 x .22 dividend = \$8,470.00)

D. Separately classified unsecured claims (co-borrower/student loan, etc.):

Creditor Description of claim Amount of claim

_____	\$ _____
_____	\$ _____
_____	\$ _____



**In re:** \_\_\_\_\_

**BK No.** \_\_\_\_\_

Total amount of separately classified claims

payable at \_\_\_\_%: \$ \_\_\_\_\_

**V. OTHER PROVISIONS:**

A. Liquidation of Assets to be used to Fund  
Plan: \_\_\_\_\_

\_\_\_\_\_.

B. Modification of Secured Claims:

Set forth details of modifications below or in attached sheets. This information should include name of creditor and detailed explanation of the modification. The total amount of the secured claim that is to be paid through the Plan (inclusive of interest) should be set forth in Section I of this Plan. The Debtor must also file a motion pursuant to R.I. LBR 3015-2 to modify the secured claim.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. Additional Miscellaneous provisions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In re: \_\_\_\_\_

BK No. \_\_\_\_\_

**VI. CALCULATION OF PLAN PAYMENT**

a. Secured claims (Section I-A Total): \$ \_\_\_\_\_

b. Priority claims (Section II Total): \$ \_\_\_\_\_

c. Administrative claims (Section III A + B Total): \$ \_\_\_\_\_

d. General unsecured claims (Section IV-C Total): \$ \_\_\_\_\_

e. Separately classified unsecured claims

(Section IV-D Total): \$ \_\_\_\_\_

f. Total of (a) through (e) above: \$ \_\_\_\_\_

g. Divide (f) by .90 for total cost including Chapter 13 trustee's fee (this represents the total amount to be paid into the Chapter 13 plan):

**Total Cost of Plan:** \$ \_\_\_\_\_

h. Divide (g) Cost of Plan by Term of Plan: \_\_\_\_\_ months

i. Round up to nearest dollar:

**Monthly Plan Payment:** \$ \_\_\_\_\_ (enter this amount on page 1)

Pursuant to 11 U.S.C. § 1326(a)(1), unless the Court orders otherwise, a Debtor shall commence making the payments proposed by a plan within thirty (30) days after the Plan is filed.

**LIQUIDATION ANALYSIS**

I. Real Estate:

Address Fair Market Value Recorded Liens (Schedule D)

\_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

**In re:** \_\_\_\_\_

**BK No.** \_\_\_\_\_

Total Net Equity for Real Property: \$ \_\_\_\_\_

Less Exemptions (Schedule C): \$ \_\_\_\_\_

Available Chapter 7: \$ \_\_\_\_\_

**II. Automobile (Describe year, make and model):**

\_\_\_\_\_ Value \$ \_\_\_\_\_ Lien \$ \_\_\_\_\_ Exemption \$ \_\_\_\_\_

\_\_\_\_\_ Value \$ \_\_\_\_\_ Lien \$ \_\_\_\_\_ Exemption \$ \_\_\_\_\_

Net Value of Equity: \$ \_\_\_\_\_

Less Exemptions (Schedule C): \$ \_\_\_\_\_

Available Chapter 7: \$ \_\_\_\_\_

**III. All Other Assets (all remaining items on Schedule B):**  
(Itemize as necessary)

Value: \$ \_\_\_\_\_ Less Exemptions (Schedule C): \$ \_\_\_\_\_

Available Chapter 7: \$ \_\_\_\_\_

**SUMMARY (Total amount available under Chapter 7) --** calculated based upon  
Net Equity (I and II) plus Other Assets (III) less any claimed exemptions:

**TOTAL AMOUNT AVAILABLE UNDER CHAPTER 7:** \$ \_\_\_\_\_

Additional Comments regarding Liquidation Analysis:

\_\_\_\_\_  
\_\_\_\_\_

**In re:** \_\_\_\_\_

**BK No.** \_\_\_\_\_

Pursuant to the R.I. LBR 3015-1(b), the Debtor or his/her counsel is required to serve a copy of the Chapter 13 Plan upon the Chapter 13 Trustee, all creditors and interested parties, and to file a certificate of service accordingly.

\_\_\_\_\_  
Debtor's counsel

\_\_\_\_\_  
Date

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone #: \_\_\_\_\_

I/We declare under the penalties of perjury that the foregoing representations of fact are true and correct to the best of our knowledge and belief.

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Co-Debtor

\_\_\_\_\_  
Date

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND

----- X

In re: \_\_\_\_\_ :  
: BK No.  
Debtor(s) \_\_\_\_\_ : Chapter 13  
: \_\_\_\_\_ :  
----- X

**ORDER CONFIRMING CHAPTER 13 PLAN**

The Debtor(s) filed a Chapter 13 Plan (The “Plan”) on \_\_\_\_\_. The Debtor(s) filed a Certificate of Service on \_\_\_\_\_, reflecting that the Plan was served on all creditors and parties-in-interest. No objections to the confirmation of the plan were filed, or all objections were overruled by the Court or resolved by the parties. Upon consideration of the foregoing, the Court hereby orders the following:

1. The Plan is confirmed. The term of the Plan is \_\_\_\_\_ months.
2. The employer of the Debtor, \_\_\_\_\_, (or in appropriate cases, the Debtor) \_\_\_\_\_ shall deduct from the wages of the Debtor and forward to the Office of the Standing Chapter 13 Trustee, P.O. Box 2561, Providence, Rhode Island 02906, the sum of \$\_\_\_\_\_ per \_\_\_\_\_ for \_\_\_\_\_.
3. The effective date of confirmation of the Plan is \_\_\_\_\_.
4. The disbursements to be made by the Chapter 13 Trustee pursuant to the confirmed Plan are set forth on the attached summary which is incorporated herein by reference.
5. Unless otherwise ordered by the Court, all property of the estates as defined in 11 U.S.C. §§ 541 and 1306, including, but not limited to any appreciation in the value of real property owned by the Debtor(s) as of the commencement of the case, shall remain property of the estate during the term of the Plan and shall vest in the Debtor(s) only upon closing of the case. All property of the estate shall remain within the exclusive jurisdiction of the Bankruptcy Court.

**In re:** \_\_\_\_\_

**BK No.** \_\_\_\_\_

6. The Debtor(s) shall not transfer, sell, encumber, or otherwise alienate property of the estate other than in accordance with the confirmed Plan or other order of the Bankruptcy Court. The Debtor shall be responsible for preserving and protecting all property of the estate.
7. The Court may, from time to time during the period of the Plan, increase or reduce the amount of the payments provided by the Plan, where it shall be made to appear at a hearing upon such notice as the Court may designate, that the circumstances so warrant or so require.
8. The Debtor shall inform the Trustee of any increase he/she receives in salary or in income.
9. The Trustee shall pay the remaining balance due to any creditor when that balance due is \$25.00 or less.
10. Under 11 U.S.C. § 1325(a)(8) and § 1328(a), if the debtor owes domestic support obligations, whether owed at the time of filing or incurred during the pendency of the bankruptcy case, the debtor must file a certification with the Chapter 13 Trustee stating that all such payments due under the plan have been paid before a discharge order may enter.
11. Upon completion of the plan, discharge shall enter unless: (a) after motion and hearing the court determines that the debtor is not entitled to one pursuant to 11 U.S.C. § 1328(h), or; (b) the Debtor is otherwise not entitled to one pursuant to 11 U.S.C. § 1328.
12. The plan meets all of the requirements set forth in 11 U.S.C. § 1325(a).

**ORDER:**

**ENTER:**

\_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Arthur N. Votolato  
U.S. Bankruptcy Judge  
Date:

Entered on:

In re: \_\_\_\_\_

BK No. \_\_\_\_\_

**SUMMARY OF DISBURSEMENTS TO BE MADE UNDER THE PLAN**

**A. ADMINISTRATIVE CLAIMS**

(Creditor) will be paid the sum of \$\_\_\_\_\_.

**B. PRIORITY CLAIMS**

Priority claims for which claims are properly filed shall be paid according to their priority.

**C. SECURED CLAIMS**

**1. MODIFIED SECURED CLAIMS**

The secured claim of (Creditor) is being modified as follows: (describe modified treatment)\_\_\_\_\_.

The secured creditor is retaining its lien on (describe the property) to the following extent:

The balance of the claim will be treated as an unsecured claim.

**2. UNMODIFIED SECURED CLAIMS**

(Creditor) will be paid its pre-petition arrearage in the sum of \$\_\_\_\_\_ next after payment of administrative and priority claims.

**D. UNSECURED CLAIMS**

All unsecured creditors shall receive not less than \_\_\_\_\_% of the amount of their claims duly proved and allowed by the Court.

**E. OTHER PERTINENT PROVISIONS:**

## Appendix II

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### UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

#### LR Gen 109 BANKRUPTCY

- (e) **Appeals to Bankruptcy Appellate Panel.** In accordance with 28 U.S.C. §158(b)(6), when all parties consent, appeals from any judgment, order or decree of a bankruptcy judge which are referred to in 28 U.S.C. § 158(a) may be heard and determined by the Bankruptcy Appellate Panel for the First Circuit.
- (f) **Appeals to District Court.** Except as otherwise provided in this subsection (f) or elsewhere in these rules, or unless otherwise ordered by the District Court, appeals or motions for leave to appeal to the District Court from any judgment, order or decree of a bankruptcy judge shall be governed by the applicable provisions of Rules 8001 - 8020 of the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”), and any and all Interim Bankruptcy Rules (“Interim Rules”) which became effective on or after October 17, 2005.
- (1) **Notice of Appeal.** When a notice of appeal is filed with the bankruptcy clerk, the bankruptcy clerk shall, forthwith, transmit a copy of the notice of appeal to the District Court clerk, together with a copy of the judgment, order or decree that is the subject of the appeal and the Appeal Cover Sheet. The District Court clerk, thereupon, shall treat the matter administratively as a newly filed case, but in accordance with Interim Rule 8001(f)(2), the matter shall not be deemed “pending” in this Court until the record has been transmitted and docketed.
- (2) **Motion for Leave to Appeal.** When a motion for leave to appeal is filed with the bankruptcy clerk, the bankruptcy clerk shall, forthwith, transmit a copy of the motion to the District Court clerk, together with copies of the notice of appeal, the judgment, order or decree that is the subject of the proposed appeal, and any memorandum of counsel submitted in support of or in opposition to the motion. The District Court clerk, thereupon, shall treat the matter administratively as a newly filed case, but in accordance with Interim Rule 8001(f)(2), the matter shall not be deemed “pending” in this Court until leave to appeal has been granted.
- (3) **Requests for Certification.** Any request by a party for the certification of an appeal directly to the Court of Appeals filed in the District Court pursuant to 28 U.S.C. 158(d)(2) and Interim Rule 8001(f) shall be in the form of a motion complying with LR Cv 7.
- (4) **Extensions of Time by a Bankruptcy Judge.** Extensions of time for filing notices of appeal may be granted by the bankruptcy judge in accordance with Bankruptcy Rule 8002(c). Extensions of time for filing motions for leave to appeal and designations of the record or issues on appeal may be granted by the



bankruptcy judge for a period not to exceed thirty (30) days.

(5) **Dismissal of Appeals by Bankruptcy Judge.** A bankruptcy judge may dismiss an appeal if

- (A) the notice of appeal is not filed within the time specified in Bankruptcy Rule 8002;
- (B) the appellant has failed to file a designation of the record or a statement of the issues within the time specified in Rule 8006 or any extension thereof; or
- (C) the appellant has failed to comply with paragraph (6)(C) of this subsection.

(6) **Record on Appeal.** In addition to any other applicable requirements, an appellant, including a party whose motion for leave to appeal has been granted, shall ensure that the record transmitted by the bankruptcy clerk to the District Court clerk includes:

- (A) the judgment, order or decree of the bankruptcy judge that is the subject of the appeal;
- (B) any written decision(s) and a transcript of any oral decision(s) by the bankruptcy judge stating the reasons for the judgment(s), order(s) and/or decree(s) referred to in subparagraph (A);
- (C) the record on appeal, as to which the appellant shall be responsible for seeing that each document is tabbed and arranged in reverse chronological order so that the documents appear in the same order as shown on the docket sheet;
- (D) a statement of the issues on appeal; and,
- (E) a certified copy of the docket sheet.

(7) **Form of and Schedule for Filing Briefs.** Unless otherwise ordered by the District Court or provided in these rules, the form and schedule for filing appellate briefs and memoranda shall be governed by Bankruptcy Rule 8009, except that:

- (A) all briefs, memoranda and appendices thereto shall conform to the applicable requirements of LR Cv 7; and
- (B) two (2) copies of any brief or memorandum shall be provided to the district judge to whom the appeal or motion for leave to appeal is assigned.

(g) **Stays Pending Appeal to the District Court.** When a motion is made in the District Court to stay a judgment, order or decree of a bankruptcy judge or for any other relief pending appeal, the movant shall file the following with its motion:

- (1) a copy of the judgment, order or decree that the movant seeks to have stayed;
- (2) a copy of the bankruptcy judge's order denying the movant's motion to stay;
- (3) any written decision(s) and/or transcript(s) of any oral decision(s) of the bankruptcy judge stating the reasons for the orders referred to in paragraphs (1) and (2) of this subsection; and
- (4) a memorandum of law setting forth the reasons why a stay should be granted and the legal authorities supporting the motion for a stay.

Such motion and any related objection(s) and replies shall be governed by the applicable provisions of LR Cv 7.

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF RHODE ISLAND**

**DISTRICT OF RHODE ISLAND MAXIMUM ATTORNEY FEE  
WITHOUT WRITTEN FEE APPLICATION**

**(a)** Pursuant to R.I. LBR 2017-1, a detailed application for compensation is required within twenty (20) days of the bankruptcy filing whenever the fee for services provided by:

(1) an attorney for a Chapter 7 debtor exceeds:

- (i) \$1,500, where Debtor's median income is equal to or below the state median income for their household size, and
- (ii) \$2,500, where the Debtor's median income is higher than the state median income for their household size

(2) an attorney for a Chapter 13 debtor exceeds: \$3,500

(3) a document preparer exceeds: \$150

**(b)** The amounts set forth herein are for the sole purpose of establishing when an applicant is required to file a fee application with the Court. These amounts should not be construed as minimum fees for specific services. The Court may require applicants to file fee applications even when the fee charged is below or equal to the minimum amounts set forth herein, and all fees whether above or below the amounts set forth herein are subject to Court approval.

**(c)** Pursuant to R.I. LBR 2016-1, counsel and document preparers are advised to keep contemporaneous time records to support all work performed on behalf of the debtor(s) and to file said fee applications within the time allowed above. Failure to comply with R.I. LBR 2017-1 will result in the issuance of an Order to Show Cause why disgorgement of all fees should not be made, or other sanctions imposed.

**UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND**

U.S. DISTRICT COURT LOCAL RULES -- GENERAL / ATTORNEY RULES

**LR Gen 204 *PRO HAC VICE* COUNSEL**

- (a) **Authorization to Appear and Practice.** An attorney who is not a member of the bar of this Court may appear and practice before this Court in any case in which the attorney has been admitted to practice *pro hac vice*.
- (b) **Eligibility for *Pro Hac Vice* Admission.** In order to be eligible for *pro hac vice* admission, an applicant must:
- (1) Be a member in good standing of the bar of another state and another federal district court and the bar in every jurisdiction in which the attorney has been admitted to practice; and
  - (2) Not have been convicted of a “serious crime” as defined in Rule 213(a)(3); and
  - (3) Establish, to the satisfaction of this Court, that he or she is otherwise qualified and fit to be admitted to practice *pro hac vice* before this Court.
- (c) **Limit on Number.** Unless otherwise permitted by the Court for good cause shown, no more than three (3) *pro hac vice* counsel may be admitted to represent any party in a case.
- (d) **Application.** An application for *pro hac vice* admission shall be made by completing and filing a form of motion provided by the Clerk (see **Form 1** annexed to these Rules), together with a check for the application fee fixed by the Court which shall be payable to the “Board of Bar Examiners.” The application fee will not be refunded if the application is denied.

A motion for *pro hac vice* admission shall be signed both by the applicant and by local counsel affiliated with the applicant.

- (e) **Local Counsel.** In order to be admitted and/or remain as *pro hac vice* counsel, an attorney shall be affiliated with local counsel who is a member of the Bar of this Court and who has entered an appearance as co-counsel.

Local counsel shall:

- (1) Sign and be responsible to the Court for the content of all pleadings, motions, and other documents filed or served in the case; and
- (2) Attend all court proceedings in the case unless excused by the judge for good cause shown; and
- (3) Be fully prepared to assume sole responsibility for the conduct of the case in the event that *pro hac vice* counsel does not appear when required, has his or her *pro hac vice* status revoked or is unable to continue as counsel for any reason.

In order to ensure that local counsel is able to properly perform his or her duties, *pro hac vice* counsel shall consult with, involve and fully inform local counsel with respect to all matters affecting the case.

(f) **Admission and Revocation.**

- (1) The district judge to whom a case has been assigned shall have discretion to grant or deny motions for admission *pro hac vice* based upon the applicant's qualifications, character, past conduct and any other factors that bear on the applicant's fitness to practice in this Court.
- (2) Permission to appear *pro hac vice* may be revoked upon motion of a party or, *sua sponte*, by the district judge to whom the case is assigned if the judge determines that *pro hac vice* counsel has failed to satisfy any applicable requirement of these rules or that the proper administration of justice so requires.
- (3) No formal hearing shall be required prior to revocation. However, before revoking *pro hac vice* status, the judge shall provide counsel with notice and an opportunity to explain why *pro hac vice* status should not be revoked to the

extent that such opportunity can be afforded without disrupting or delaying the proceedings.

- (4) The revocation of *pro hac vice* status shall not prevent the Court from taking any other disciplinary action against counsel pursuant to any applicable provision of these Local Rules.
- (g) **Notification.**
- (1) *Pro hac vice* counsel shall promptly notify the Court of any change in counsel's name, address, telephone number, fax number, e-mail address and/or law firm name from that shown on counsel's application for *pro hac vice* admission.
  - (2) Any notice sent to *pro hac vice* counsel shall be deemed delivered if sent to the most recent address or fax number or e-mail address provided in counsel's application for *pro hac vice* admission or in any subsequent change of address provided by such counsel.

#### **CROSS-REFERENCE**

See LR Gen 201(b)(2) (appearance by *pro hac vice* counsel). See also LR Gen 206(c) (designation of counsel to receive notices).

#### **Appendix X**

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**UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND**

**U.S. DISTRICT COURT LOCAL RULES – RULES APPLICABLE TO CIVIL PROCEEDINGS**

**LR Cv 67      PARTIES' FUNDS DEPOSITED WITH CLERK OF COURT**

**(a)      Procedure for Deposit of Funds.**

- (1) Any party who seeks to deposit funds into the Registry of the Court pursuant to Title 28 U.S.C. § 2041 or Fed. R. Civ. P. 67 or other rule or law must first file a motion in the form required by LR Cv 7. The motion must be accompanied by a proposed order specifying the amount of funds to be deposited, the name and address of a local financial institution into which the funds are to be deposited, and the type of account desired. The financial institution and the type of account must be approved in advance by the Clerk of Court.
- (2) The motion and proposed order shall be served on all other parties of record in the case.
- (3) Upon the granting of the motion, the party shall promptly deliver to the Clerk's Office a check for the amount to be deposited, together with a copy of the signed order.

**(b)      Procedure for Withdrawals and Fund Transactions.** Any party seeking to withdraw monies from the Registry of the Court must file and serve a motion for the withdrawal of monies from the Registry, together with a proposed order stating the exact amount to be disbursed to each party, and each party's name, address and tax identification number. All transactions regarding Registry funds shall be made only with the approval of the Court.

**(c)      Deduction of Court Fees.** Any order obtained by a party that directs the Clerk to invest in an interest-bearing account or investment funds deposited in the Registry of the Court shall contain wording which directs the Clerk to deduct from the income earned on the funds deposited or invested a fee in the amount of ten percent (10%) of the income earned, whenever such income becomes available for such deduction, and without further order of the Court. Such a provision shall be included in the order regardless of the nature of the case in which the deposit was made.

**CROSS-REFERENCES**

See Local Rule 7 (Motions).

See also 28 U.S.C. §§2041-2043 (deposit and withdrawal of court registry funds).